

BY CITY UTILITIES COMMITTEE

AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 3 WITH DREAMSAN, INC., FOR FC-6004007836, RECYCLING PROGRAM, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS TO ADD ADDITIONAL FUNDS FOR FISCAL YEAR 2008 IN A NOT TO EXCEED AMOUNT OF TWO MILLION FOUR HUNDRED FIFTY-SEVEN THOUSAND SIX HUNDRED EIGHTY DOLLARS (\$2,457,680.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT CENTER NUMBER: 1A01 (GENERAL FUND) 524001 (CONSULTANT PROFESSIONAL SERVICES) M38301 (RECYCLING AND COLLECTION) (\$2,457,680.00); AND FOR OTHER PURPOSES.

WHEREAS, the City entered into an Original Agreement (hereinafter the "Agreement") with Contractor for FC-6004007836, Recycling Program; and

WHEREAS, the term of the Agreement was for a period of one (1) year, with Four (4), one (1) year renewal options at the sole discretion of the City, with the base year expiring on February 23, 2006; and

WHEREAS, a 90-day extension was executed giving the Agreement a new expiration date of May 23, 2006; and

WHEREAS, the City did execute Renewal Agreement No.1 pursuant to Resolution No.06-R-0391, giving the Agreement a new expiration date of May 23, 2007; and

WHEREAS, the City did execute Renewal Agreement No. 2 pursuant to Resolution No.07-R-0936, giving the Agreement a new expiration date of May 23, 2008; and

WHEREAS, Renewal Agreement No. 2 had an initial not to exceed amount of Six Hundred Seventy Five thousand Dollars (\$675,000) for payment of invoices for work completed before July 1, 2007; and

WHEREAS, the Department of Public Works desires to amend the Agreement to provide an additional not to exceed amount to allow for payment for work completed through the end of the term of Renewal No. 2, May 23, 2008; and

WHEREAS, the Contractor has performed satisfactorily through term of the Agreement;
and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer have recommended this Amendment be executed with the Contractor; and

WHEREAS, this Amendment was authorized by the Chief Procurement Officer of the Department of Procurement pursuant to the City of Atlanta Procurement Code of Ordinances § 2- 1292; and

WHEREAS, the original conditions of said Agreement FC-6004007836, Recycling Program shall not be changed other than included modifications and are specifically incorporated by reference herein.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, the Mayor is authorized to amend Amendment Agreement No.3 with Dreamsan, Inc. for FC-6004007836, Recycling Program, for the continuance of curbside recycling services at approximately 87,000 single family residences and current drop-off locations within the City limits.

BE IT FURTHER RESOLVED, that Amendment Agreement No. 3 shall authorize payment of invoices through the end of the original term of the renewal agreement by providing an additional not to exceed amount of two million four hundred fifty-seven thousand six hundred eighty dollars (\$2,457,680.00).

BE IT FURTHER RESOLVED, that all contracted work shall be charged to and paid from fund account center number: 1A01 (General Fund) 524001 (Consultant Professional Services) M38301 (Recycling and Collection) (\$2,457,680.00).

BE IT FURTHER RESOLVED, that all terms and conditions of Amended Agreement will remain unchanged and shall remain in full force and effect except as follows;

1. The base value of the Agreement for the remainder of the term of the renewal Agreement (July 1, 2007 through May 23, 2008) shall not exceed Two Million Three Hundred Seventeen Thousand Six Hundred Eighty Dollars (\$2,317,680).
2. The City at its sole discretion may choose to perform collection services for up to 10,000 residential units.
3. The Contractor agrees to accept recyclable materials delivered to its Materials Recovery Facility by the City at no additional charge.

4. The fees charged to the City by the Contractor for monthly fuel adjustments, E-Waste and fluorescent tube processing, and other optional services shall not exceed One Hundred Forty Thousand Dollars (\$140,000). The individual charges for these additional services shall be as follows:

- a. \$300.00 Trailer rental per month each.
- b. \$500.00 Hauling cost for each load.
- c. \$15.00 Per television
- d. \$25.00 Per Console
- e. \$175.00 Per case (280) 48" fluorescent tubes
- f. \$125.00 Per case (100) 72" fluorescent tubes
- g. \$150.00 Per case (100) 96" fluorescent tubes
- h. Reinststate the ability for the City to access Dreamsans's customer service database at a labor cost of \$30 per hour.
- i. Additional Mini Recycling Roll-off service will be available for \$7,000 per month. This pricing includes:
 - 1) 3 - 30CY roll-off containers
 - 2) Guard building (mobile office)
 - 3) Personnel to monitor site 40 hours per week

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is hereby directed to prepare an appropriate Amendment for execution by the Mayor.

BE IT FINALLY RESOLVED, that the Amendment No. 3 will not become binding on the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Dreamsans, Inc.